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September 7, 2006

Atty. Docket No. US-102

In re application of: Gunji et al.  
Application. No.: 10/716,480  
Filing Date: November 20, 2003  
Title: Method for Producing L-Amino Acid Using Methylothroph

## Mail Stop Appeal Brief - Patents

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA. 22313-1450

Sir:

Transmitted herewith is a revised Appeal Brief in response to the Notice of Non-Compliant Appeal Brief issued on September 5, 2006 in the above-identified application. Applicant confirms that the revised Appeal Brief contains the items required under 37 C.F.R. 41.37(c), as well as the proper headings.

Applicant further confirms that the revised Appeal Brief contains (a) a concise explanation of the subject matter defined in each of the independent claims involved in the appeal, referring to the specification by page and line number and to the drawings, if any, by reference characters; and/or (b) the brief (1) identifies, for each independent claim involved in the appeal and for each dependent claim argued separately, every means plus function and step plus function under 35 U.S.C. §112, sixth paragraph, and/or (2) sets forth the structure, material, or acts described in the specification as corresponding to each claimed function with reference to the specification by page and line number, and to the drawings, if any, by reference characters (37 C.F.R. 41.37(c)(1)(v)).

☒ The fee under 37 CFR 1.17(c) for filing a brief in support of an appeal was previously paid on December 15, 2005.

☐ The fee under 37 CFR 1.17(d) to request for oral hearing is enclosed.

☐ An extension of time petition and the request fee of \_\_\_\_\_ for \_\_\_\_\_ months is enclosed.

The above fees are submitted via the following payment method:

- ☐ Please charge Deposit Account No. \_\_\_\_\_ in the amount of \$ \_\_\_\_\_.
- ☐ A check in the amount \_\_\_\_\_ is enclosed, including to cover any extension of time fee.
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☒ The U.S. Patent and Trademark Office is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to

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☐ the credit account identified in EFS-Web processing.

☒ Any filing fees under 37 C.F.R. § 1.16 for the presentation of extra claims.

☒ Any patent application processing fees under 37 C.F.R. § 1.17.

☒ Any Extension of Time fee.

**U.S. P.T.O. Customer No. 38108**

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Respectfully submitted,



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